

United States Senate

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December 7, 2005

The Honorable Richard Lugar
Chairman
Senate Committee on Foreign Relations
Washington, DC 20510

Dear Mr. Chairman:

As you know, there has been a great deal of controversy recently about U.S. policies governing the use of incendiary weapons. The reason this issue is important is because in past conflicts, these weapons—which can burn for hours inside a human body—have been misused in a manner that has resulted in horrific civilian casualties.

Therefore, I ask that the Senate Foreign Relations Committee take up and consider the Third Protocol to the Convention on Certain Conventional Weapons.

Although the underlying Convention was ratified, the United States has not yet ratified Protocol III, the Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons. This protocol prohibits or restricts the use of incendiary weapons against civilians and the use of air-delivered incendiary weapons against military targets located in areas where civilian populations are concentrated. The use of non-air-delivered weapons under the same circumstances is allowed in cases where the military target is clearly separated from the surrounding civilian population.

On January 7, 1997, President Clinton submitted Protocol III to the Senate for its advice and consent to ratification with a reservation that the weapons could be used in circumstances where their use would result in fewer civilian casualties. Protocol III is still among the pending treaties now before the Senate Foreign Relations Committee. I hope you will agree that we should consider this matter as soon as possible.

I look forward to your prompt response.

Sincerely,



Barbara Boxer
United States Senator

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